



United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Washington, DC
20250

VETERINARY SERVICES NOTICE 98-08

Subject: Herd Definition and Eligibility for Tuberculosis Indemnity

Date: June 8, 1998

To: Directors, VS Regions
Area Veterinarians in Charge, VS
Veterinary Medical Officers, VS

Definitions of Herd and Livestock:

On February 23, 1998, Title 9, Code of Federal Regulations (CFR), Part 77 was amended to change the definition of herd to include all livestock on a particular premises, rather than just to a specific species or group of species. Livestock was also defined in this interim rule.

Herd - as now Defined in 9 CFR, Part 77:

Any group of livestock maintained on common ground for any purpose, or two or more groups of livestock under common ownership or supervision, geographically separated but that have an interchange or movement of livestock without regard to health status, as determined by the Administrator.

Livestock - as now Defined in 9 CFR, Part 77:

Cattle, bison, cervids, swine, dairy goats, and other hoofed animals (such as llamas, alpacas, and antelope) raised or maintained in captivity for the production of meat and other products, for sport, or for exhibition.

These definitions are now the official definitions for the bovine and cervid tuberculosis programs. The Uniform Methods and Rules for bovine and cervid tuberculosis will be amended to read the same as the CFR definitions.

REQUIREMENTS FOR TUBERCULOSIS-EXPOSED ANIMAL INDEMNITY:

The procedures outlined in 9 CFR 50 are the standard procedures for the payment of exposed-animal indemnity. However, there is a need to further clarify the procedures because of the wide variety of livestock operations currently covered by program regulations.



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When the standard procedures for payment of tuberculosis-exposed-animal indemnity cannot be met, a waiver from the standard procedures, as outlined in 9 CFR 50, may be granted by the Deputy Administrator of Veterinary Services. This waiver may be granted if the request is based on sound scientific principles and poses a minimal risk to livestock and wildlife populations. Before a request for a waiver is considered for approval, the following criteria must be met:

1. The herd must be scheduled for depopulation as defined in 9 CFR 50.
2. The depopulation should be completed within 15 days of being approved. If unusual circumstances occur, the Area Veterinarian in Charge may grant an additional 15 days (30 total) to complete the depopulation. If more than 30 days are required to complete the depopulation, approval must be obtained from the Deputy Administrator. A time limit must be given and natural additions that are added after the approval is given are not eligible for indemnity.
3. A premises with infected animals that have been depopulated, must be free of animals for 1 year before it can be repopulated. All livestock must test negative before introduction to the previously infected premises. Livestock must not be introduced onto this premises during depopulation. Livestock introduced after depopulation, but within 1 year of the depopulation date, must be negative to two annual tuberculosis tests.
4. Necropsy is required on all depopulated animals as per 9 CFR 50.14b unless the animals were previously tested for tuberculosis or a waiver is granted by the Deputy Administrator of Veterinary Services.
5. Indemnity is based on the appraisal valuation made on the date of the appraisal. When large game ranches are involved and an individual appraisal is not possible, the best estimate of the maximum number of animals will be made as well as an appraisal for each class of animals (agreed upon by the AVIC, State Veterinarian, and owner) on the ranch.
6. In game ranches where it is permitted to hunt animals during the depopulation period, the animals killed by hunting practices, where a fee is given to the herd owner for the purposes of hunting, will not be eligible for exposed-animal indemnity.
7. 9 CFR 50.7 requires that all animals depopulated be disposed of via burial, incineration, or rendering. Hides, capes, and antlers are exempt from this requirement. Meat from custom killed animals can be released to the owner for personal use under 9 CFR 50.11, if a release form is signed by the owner. However, the salvage value of the meat must be deducted from the appraised value of the animal.

8. 9 CFR 50.6 requires that all animals eligible for indemnity be identified with official identification prior to euthanasia. This identification requirement does not apply to exposed animals that are euthanized on the owner's premises under the supervision of an APHIS or State representative.

9. Disposal of animals receiving exposed-animal indemnity must be supervised by an APHIS or State representative who must prepare and send a report to the AVIC identifying the animals and describing their disposition.

If you have any questions concerning these requirements, please contact Dr. Joseph VanTiem, Senior Staff Veterinarian, National Animal Health Programs Staff, at Area Code (301) 734-7716.

/signed/

Joan M. Arnoldi
Deputy Administrator
Veterinary Services